

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

ePLUS, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 3:09cv620
	)	
LAWSON SOFTWARE, INC.	)	
	)	
Defendant.	)	

**CONSENT MOTION TO AMEND THE SCHEDULING ORDER**

Plaintiff ePlus, inc. (“ePlus”) and Defendant Lawson Software, Inc. (“Lawson”), by counsel, hereby move to extend certain of the deadlines under Pretrial Schedule A of the Scheduling Order entered March 15, 2010 [Doc. No. 186]. In support of this motion, the parties state as follows:

1. Section III(C) of Pretrial Schedule A provides for all fact discovery to be concluded no later than May 18, 2010. The parties have been unable to schedule the depositions of certain third-party witnesses, remaining Rule 30(b)(6) deposition witnesses and the depositions of the parties’ CEOs prior to May 18. Accordingly, the parties move to extend the time for these depositions to June 4, 2010.

2. Section IV(2) of Pretrial Schedule A provides that responsive expert reports shall be served by June 3, 2010. Because of the delay in completing the discovery of third party witnesses knowledgeable of the prior art asserted in this matter, the parties move to extend the date for ePlus to serve its responsive expert report on invalidity to June 9, 2010.

3. Section IV(5) of Pretrial Schedule A provides that depositions of expert witnesses shall take place by June 17, 2010. The parties move to extend this deadline to June 22, 2010 to give the parties adequate time to depose all the expert witnesses.

4. None of the requested extensions will affect any other dates under the Court's Scheduling Order, including the deadline for filing summary judgment motions.

5. A Consent Order Amending Scheduling Order providing for these extensions is attached as Exhibit A. The parties will file an endorsed copy of this Order with the Court.

WHEREFORE, ePlus and Lawson respectfully request that the Court enter the Consent Order Amending Scheduling Order attached as Exhibit A.

EPLUS, INC.

By:                     /s/                      
Of Counsel

Craig T. Merritt, VSB #20281  
Henry I. Willett, III, VSB # 44655  
**CHRISTIAN & BARTON, LLP**  
909 East Main Street, Suite 1200  
Richmond, Virginia 23219-3095  
Telephone: (804) 697-4100  
Facsimile: (804) 697-4112  
[cmerritt@cblaw.com](mailto:cmerritt@cblaw.com)  
[hwillett@cblaw.com](mailto:hwillett@cblaw.com)

Scott L. Robertson (admitted *pro hac vice*)  
Jennifer A. Albert (admitted *pro hac vice*)  
David M. Young, VSB #35997  
**GOODWIN PROCTER LLP**  
901 New York Avenue, N.W.  
Washington, DC 20001  
Telephone: (202) 346-4000  
Facsimile: (202) 346-4444  
[srobertson@goodwinprocter.com](mailto:srobertson@goodwinprocter.com)  
[jalbert@goodwinprocter.com](mailto:jalbert@goodwinprocter.com)  
[dyoung@goodwinprocter.com](mailto:dyoung@goodwinprocter.com)

Michael G. Strapp (admitted *pro hac vice*)  
James D. Clements (admitted *pro hac vice*)  
**GOODWIN PROCTER LLP**  
Exchange Place  
53 State Street  
Boston, MA 02109-2881  
Telephone: (617) 570-1000  
Facsimile: (617) 523-1231  
[mstrapp@goodwinprocter.com](mailto:mstrapp@goodwinprocter.com)  
[jclements@goodwinprocter.com](mailto:jclements@goodwinprocter.com)

Attorneys for Plaintiff ePlus inc.

LAWSON SOFTWARE, INC.

By:                     /s/                      
Of Counsel

Dabney J. Carr, IV, VSB #28679  
Robert A. Angle, VSB #37691  
**TROUTMAN SANDERS LLP**  
P. O. Box 1122  
Richmond, Virginia 23218-1122  
Telephone: (804) 697-1200  
Facsimile: (804) 697-1339  
[dabney.carr@troutmansanders.com](mailto:dabney.carr@troutmansanders.com)  
[robert.angle@troutmansanders.com](mailto:robert.angle@troutmansanders.com)

Daniel McDonald (admitted *pro hac vice*)  
William D. Schultz (admitted *pro hac vice*)  
Rachel C. Hughey (admitted *pro hac vice*)  
Andrew J. Lagatta (admitted *pro hac vice*)  
Joshua P. Graham (admitted *pro hac vice*)  
**MERCHANT & GOULD P.C.**  
3200 IDS Center, 80 South Eighth Street,  
Minneapolis, MN 55402  
Telephone: (612) 332-5300  
Facsimile: (612) 332-9081

*Counsel for Defendant Lawson Software, Inc.*